

**VILLAGE OF BISMARCK  
VERMILION COUNTY, ILLINOIS**

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**ORDINANCE NO. 2021-9-21.1**

**AN ORDINANCE TO ADOPT  
THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND  
APPOINT A CODE OFFICER**

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**ADOPTED BY THE  
MAYOR AND VILLAGE BOARD  
OF THE  
VILLAGE OF BISMARCK  
THIS 21<sup>st</sup> DAY OF September, 2021.**

Published in pamphlet form  
by the authority of the Mayor and Village Board  
of the Village of Bismarck, Vermilion County, Illinois  
this 21<sup>st</sup> day of September, 2021.

**VILLAGE OF BISMARCK  
VERMILION COUNTY, ILLINOIS**

**ORDINANCE NO. 2021-9-21.1**

**AN ORDINANCE  
TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND  
APPOINT A CODE OFFICER**

**WHEREAS**, the Village of Bismarck (“Village”) has authority pursuant to Article 11, Divisions 30, 31 and 60 of the Illinois Municipal Code, 65 ILCS 5/11-30-1 *et seq.*, 65 ILCS 5/11-31-1 *et seq.*, 65 ILCS 5/11-60-1 *et seq.*, to define standards for property maintenance within the Village’s corporate limits.

**WHEREAS**, the Village Board finds that the 2018 International Property Maintenance Code (“IPMC”) establishes a widely-used, reasonable set of standards to preserve property values and reduce blight in our community;

**WHEREAS**, the Village Board desires to appoint a Code Official to enforce the IPMC standards within the Village;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Village Board of the Village of Bismarck, Vermilion County, Illinois, as follows:

**Section 1. Recitals.** The above recitals are incorporated herein by this reference as if specifically stated in full.

**Section 2. Adopted.** The Village of Bismarck Code of Ordinances is hereby amended to incorporate by reference all provisions of the 2018 International Property Maintenance Code (“IPMC”) as a stand-alone Property Maintenance Code (“Code”).

**Section 3. Appointed.** To assist with enforcement of the Code, the Village hereby appoints David Biggerstaff to serve as the Code Official pursuant to Section 103.2 of the IPMC, subject to termination by the Village Board at any time without cause.

**Section 4. Additions and Deletions to IPMC.** The Village's adoption of the 2018 IPMC includes the following additions and deletions to conform to the Village's intent:

1. Section 101.1 (Title) shall be amended to read as follows: These regulations shall be known as International Property Maintenance Code of the Village of Bismarck, Illinois, hereinafter referred to as "this Code."
2. Section 102.3 (Application of other codes) shall be amended to read as follows: Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the applicable State or local code. Nothing in this code shall be construed to cancel, modify or set aside any provision in any applicable local, State or federal code or statute.
3. Section 102.7 Referenced codes and standards shall be amended to read as follows: The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where conflicts occur between provisions of this code and the referenced standards the more restrictive standard shall apply, unless otherwise stated in the relevant code section(s).
4. Section 103.5 (Fees) shall be amended to read as follows: The fees for activities and services performed by the Village to carry out its responsibilities under this Code may be established by a schedule of fees approved by the jurisdiction and applied by the Code Official.
5. Section 106 (Violations) shall be replaced with the following: Any person violating any provisions of this ordinance shall be fined as follows:
  - a. Unless another fine or penalty is specified, any residential property owner/occupier violating any of the terms or provisions of this Code or failing to comply with an order of the Code Official, shall be fined no more than \$100.00 for the first offense, \$200.00 for the second offense, and \$500.00 for each subsequent offense. Each day such violation is committed or permitted to continue or exist shall constitute a separate offense and shall be punishable as such. For purposes of this paragraph, residential property owner/occupier shall mean a person who occupies or dwells in a residential dwelling unit of which the same person is the legal or beneficial owner or the owner of residential property that is not offered to tenants for occupancy.
  - b. Unless another fine or penalty is specified, any contractor, commercial property owner, firm or corporation violating any of the terms or provisions of this Code or failing to comply with an order of the Code Official, shall be fined not less than \$200.00 for the first offense, \$400.00 for the second offense and \$1,000.00 for each subsequent offense

but not more than \$2,500.00 for any violation. Each day such violation is committed or permitted to continue or exist shall constitute a separate offense and shall be punishable as such. For purposes of this paragraph, commercial property owner shall include the landlord of a residential dwelling unit that is tenant occupied or offered to tenants for occupancy.

6. Section 111 (Means of Appeal) shall be replaced with the following: The Village Board/Village Board shall hear and decide all appeals from a property owner for any alleged erroneous decisions of the code official or an issuance of a compliance order relating to the enforcement of this ordinance. Appeals must be filed with the Village Board within five (5) business days of the compliance order. The Village Board will submit their decision and resolution to the appeal to the owner within ten (10) business days.
7. Section 112.4 (Failure to Comply) shall be amended to read as follows: Any person who shall continue work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as outlined in Section 106 (Violations).
8. Section 302.4 (Weeds) shall be amended to replace “[Jurisdiction to Insert Height in Inches]” with “eight (8) inches.”
9. Section 304.14 (Insect Screens) shall be amended to read as follows: During the period of May 1 to September 30 every door, window, and outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of minimum of 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.
10. Section 602.3 (Heat Supply) shall be amended to state: Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1 to May 30 to maintain a minimum temperature of 68 degrees Fahrenheit in all habitable rooms, bathrooms and toilet rooms.
11. Section 602.4 (Occupiable work spaces) shall be amended to state: Indoor occupiable work spaces shall be supplied with heat during the period from September 1 to May 30 to maintain a minimum temperature of 65 degrees Fahrenheit during the period the spaces are occupied.

**Section 5. Severability.** In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**Section 6. Repeal and Savings Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Bismarck prior to the effective date of this ordinance.

**Section 6. Effectiveness.** This ordinance shall be in full force and effect from and after passage, approval by all necessary State agencies, and publication in pamphlet form as provided by law.

SO ORDAINED this 21<sup>st</sup> day of September, 2021.

AYES: 6 Karey Volpert, Terry Light, Mike Maypater, Kelly  
Sheila Switz

NAYS: 0

ABSENT: 0

APPROVED this 21<sup>st</sup> day of September, 2021.

Mayor Michael Brown  
Mayor

Attest:

Brandye Kizer, Village Clerk  
Village Clerk

## Code Enforcement Officer Job Description

1. Provides proactive enforcement and responds to complaints of property maintenance code violations and other applicable code or ordinance related issues as deemed necessary by the Mayor.
2. Conducts on-site inspections of properties to determine conformity with applicable codes and ordinances.
3. Enforces a variety of codes and ordinances by conferring with property owners, issuing warnings, violations, and correction notices, and following established methods of progressive action.
4. Conducts enforcement activities in a fair and consistent manner. Interviews parties to a complaint or violation, and otherwise investigates complaints in a comprehensive and unbiased manner. Seeks voluntary compliance, where possible.
5. Documents the facts and procedures of code violation incidents, using standardized written reports of findings and photographs when appropriate. Prepares summary reports of activities as requested, and completes other administrative requirements as necessary.
6. Performs follow-up functions, including re-inspections, logging of complaints/activities, monitoring the status of citations, and notifying involved parties of status.
7. Explains, interprets, and provides guidance regarding property maintenance codes, permit processes, zoning codes, and related functions to the public, property owners, and municipal officials.
8. Assists in preparing cases for court proceedings. Prepares documentation for the Township's legal counsel and testifies concerning specifics of particular cases.
9. Property maintenance enforcement helps preserve property values and is a long term hedge against the loss of property tax revenue to a municipality.



# VILLAGE OF BISMARCK

P.O. Box 141  
106 E. Holloway  
Bismarck, Illinois 61814

Meetings: 3<sup>rd</sup> Tuesday of the month

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217-759-3021 · Fax  
mayor@villageofbismarck.org · Email  
bismarckclerk@gmail.com · Email  
villageofbismarck.org · Website  
<https://www.facebook.com/bismarckvillage/> · Facebook

09/21/2021


## Purpose of Letter

The purpose of this letter is to formally appoint an executive official in charge of the Department of Property Maintenance.

## Attestation

I, Mayor/President Michael Brown, the Chief appointing authority for the jurisdiction of the Village of Bismarck, in the County of Vermilion, in the State of Illinois, do hereby appoint, Mr. David Biggerstaff, as the "Code Official" being the executive official in charge of the Department of Property Maintenance.

Respectfully,

  
\_\_\_\_\_  
President/Mayor Michael Brown

9/21/2021  
Date

**Michael E. Brown**  
**Mayor/President**  
**Mayor@villageofbismarck.org**  
**Village of Bismarck**  
**106 E. Holloway, Bismarck, Illinois**